

## REMARKS

Claims 1-8, 16 and 18-28 are pending in the application. Applicant hereby requests further examination and reconsideration of the application in view of the following remarks.

### *Claim Rejections – 35 USC § 103*

The Patent Office rejected claims 1, 3, 4, 8 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Camras et al. (U.S. Patent No. 4,097,893). The Patent Office also rejected claims 5, 16, 18, 20, 23-26 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Camras et al. in view of Roberts et al. (U.S. Patent No. 6,496,222). The Patent Office further rejected claims 2, 7 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Camras et al. in view of Squilla et al. (U.S. Patent No. 6,396,537). Finally, the Patent Office rejected claims 6, 9 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Camras et al. in view of Roberts et al. and further in view of Squilla et al. Applicant respectfully traverses the rejections of these claims.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP § 2143.03 citing *In re Ryoka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also *In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970). Moreover, when applying 35 U.S.C. 103, the following tenets of patent law must be adhered to: (A) the claimed invention must be considered as a whole; (B) the references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination; (C) the references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and (D) reasonable expectation of success is the standard with which obviousness is determined. See MPEP § 2141 and *Hodosh v. Block Drug Co., Inc.*, 786 F.2d 1136, 1143 n.5, 220 USPQ 182, 187 n.5 (Fed. Cir. 1986).

With respect to claims 1-8 and 21-24, Camras et al. fails to teach or suggest a method for communicating and recording an image to a removable media device comprising the steps of “storing the communicated image in memory on the removable

media device; thereafter reformatting the stored image; and recording the reformatted image on removable media of the removable media device,” as recited in claim 1, or a system for communicating and recording images comprising an image capture device and a removable media device having memory, wherein “the image capture device communicates the image to the removable media device via a wireless connection and the removable media device stores the communicated image in the memory and thereafter deciphers the image for recordation to the removable media” as recited in claim 21. In particular, Camras et al. fails to teach storing the communicated image in memory such as a chip based memory or the like, prior to reformatting the image and storing the reformatted image to a removable media such as a DVD, DVD-e, VCD, compact disc, or the like, which is separate from the memory. Instead, Camras et al. discloses a portable video recording system wherein video is stored directly to removable media, specifically, “tape recorder 270” or “video tape recorder component 627.” Thus, Camras et al. fails to teach a separate memory for storing the video prior to reformatting of the video and storing of the video to removable media. Neither of the cited ancillary references, Roberts et al. and Squilla et al., make up for this defect in the Camras et al. reference since they also fail to teach or suggest storing the communicated image in memory prior to reformatting the image and storing the reformatted image to a removable media. Moreover, there exists no suggestion or motivation from the prior art to Camras et al. or the ancillary references to provide this teaching. Accordingly, it is respectfully submitted that *prima facie* obviousness of claims 1, 3, 4, 8 and 21 has not been established under 35 U.S.C. § 103(a) as required by MPEP § 2143.03. Withdrawal of the rejections of claims 1, 3, 4, 8 and 21 is therefore respectfully requested.

With respect to claims 16, 18-20 and 25-28 none of the cited references, Camras et al., Roberts et al. or Squilla et al., teach or suggest a method for communicating and formatting an image from an image capture device, comprising “initiating a wireless connection between an image capture device and an image storage device; querying the image storage device for a supported format; and if the supported format differs from an image format, deciphering the image to the supported format and communicating the

image from the image capture device to the image storage device” as recited in claim 16 or a system for communicating and formatting an image from an image capture device, comprising an image capture device for capturing the image; and an image storage device for storing the image to removable media, wherein the image capture device initiates a wireless connection between an image capture device and an image storage device, queries the image storage device for a supported format, deciphers the image to the supported format if the supported format differs from the image format, and communicates the image to the image storage device for storage to the removable media recited in claim 25. In particular, none of the cited references teach querying the image storage device for a supported format. Instead, Roberts et al., which is relied upon by the Patent Office for this teaching, discloses that the user must manually select the desired format. Specifically, Roberts et al. provides that

[t]he user must then select the desired PC format (IBM PC/Clone or Apple Macintosh, etc.) via switch 17 (FIG. 6) on the control panel 2.

Roberts et al., column 6, lines 32-34. Thus, Roberts et al. does not query the image storage device for supported formats but instead receives the supported format as input from the user. The primary reference Camras et al. and the other ancillary reference, Squilla et al. fail to make up for this defect in the Roberts et al. reference, since they, as noted by the Patent Office, also fail to teach or suggest querying the image storage device for a supported format. Moreover, there exists no suggestion or motivation from the prior art to Roberts et al. or the ancillary references to provide this teaching. Accordingly, it is respectfully submitted that *prima facie* obviousness of claims 16, 18-20 and 25-28 has not been established under 35 U.S.C. § 103(a) as required by MPEP § 2143.03. Withdrawal of the rejections of claims 2, 6, 7 and 19 is therefore respectfully requested.

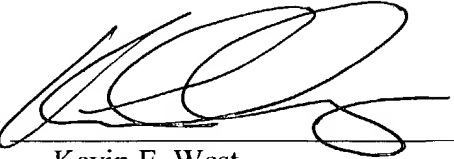
### CONCLUSION

The application is respectfully submitted to be in condition for allowance of all claims. Accordingly, notification to that effect is earnestly solicited.

Respectfully submitted,  
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